



STATE OF INDIANA

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October 23, 2026

Re: Complaint 26-FC-087
Eva Carpenter. (Complainant) v.
East Noble School Corporation (Respondent)

This advisory opinion is issued in response to the above-referenced complaint filed on February 26, 2026.

A Notice of Complaint, along with a copy of the complaint, was sent to the Respondent on March 10, 2026, requesting a formal response by April 8, 2026. A formal response, submitted by attorney J. Seth Tipton of Tipton Law Group LLC, on behalf of Respondent, was received in this office on March 13, 2026.

The complaint alleges that Respondent violated the Access to Public Records Act (APRA) when it failed to comply with Complainant's APRA request in a reasonable time.

ANALYSIS

The public policy of APRA states that "[p]roviding persons with information is an essential function of a representative government and an integral part of the routine duties of public officials and employees, whose duty it is to provide the information." Indiana Code (IC) 5-14-3-1.

Respondent is a public agency for purposes of APRA; and therefore, subject to the requirements. IC 5-14-3-2(s). As a result, unless an exception applies, any person has the right to inspect and copy Respondent's public records during regular business hours. IC 5-14- 3-3(a).

On July 23, 2025, Complainant filed an APRA request with Respondent, requesting:

1. A copy of the school's written policy or procedures for employment eligibility verification (Form I-9 completion, retention, and auditing).

2. Records confirming whether the school uses the federal E-Verify system (e.g., contracts, memoranda, or enrollment documentation).
3. The total number of active I-9 forms on file, categorized by employee type (e.g., full-time, part-time, temporary).
4. All reports, summaries, or findings from internal or external audits/reviews of I-9 compliance conducted between January 1, 2018, and the present.

This request was reviewed by Respondent's counsel, and responsive documents were produced for inspection on August 7, 2025.

Between October 6, 2025, Complainant filed an additional APRA request with Respondent, requesting:

“copies of any and all correspondence—including emails, letters, and memoranda—held by East Noble School Corporation, including but not limited to communications with federal agencies such as United States Citizenship and Immigration Services, Department of Homeland Security, and Immigration and Customs Enforcement.”

On October 21, 2025, Respondent replied to this request, noting which items were responsive records under APRA, which were not, and where clarification or narrowing was required. The existing records were produced to Complainant.

The parties continued to correspond concerning this APRA request, as Respondent initially noted that aspects of Complainant's request either lacked reasonable particularity or required the creation of a document which did not already exist.

In December of 2025, Complainant provided a revised APRA request, narrowing and specifying what was being requested.

On January 21, 2026, Respondent notified Complainant that it had partially completed compiling the requested records. Complainant refused the records provided and noted that she would only accept the records in full once completed.

As of March 13, 2026, the date of Respondent's formal response, Respondent was continuing to compile requested records for Complainant's inspection. Complainant argues that Respondent violated

APRA in failing to provide the entirety of the requested documents in a reasonable time.

If a public agency does not deny an APRA request, within a reasonable time after the request is received by the agency, the public agency shall either:

- (1) *Provide the requested copies to the person making the request; or*
- (2) *Allow the person to make copies:*
 - (A) *on the agency's equipment; or*
 - (B) *on the person's own equipment.*

IC 5-14-3-3(b).

APRA does not define the term "reasonable time". This office has provided guidance on what would be considered a reasonable time for purposes of compliance with the APRA provisions. An informal benchmark this office observes for a typical response time would be thirty (30) days from the receipt of the request. *Opinion of the Public Access Counselor 20-FC-87.*

However, this office has further observed that many requests cannot be fulfilled within thirty (30) days for a variety of reasons. In those circumstances, this office considers the following factors:

- (1) The size of the public agency;
- (2) The size of the request;
- (3) The number of pending requests;
- (4) The complexity of the request; and
- (5) Any other operational considerations or factors that may reasonably affect the public records process.

Opinion of the Public Access Counselor 25-FC-034.

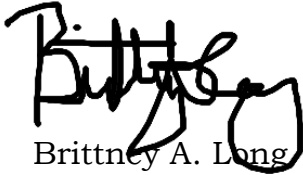
Here, Respondent has been narrowing, reviewing, and producing records related to Complainant's request for roughly four (4) months, as of the time of the formal Complaint. This office notes that Respondent has demonstrated a clear good faith intent to produce the requested records, as it offered partial production when records were uncovered. Further, this office notes that Complainant's refusal to accept partial production does not equate to a failure to produce on Respondent's part.

However, this office also notes that 4 months is not an inconsiderable amount of time, despite the complexity of Complainant's request. While this office opines that this timeframe is not unreasonable because Respondent is actively working to comply with the request, Respondent

is encouraged to take all necessary steps to completely fulfill the request as soon as possible.

CONCLUSION

This office finds that Respondent did not violate APRA as alleged in the complaint. Respondent is encouraged to fulfill Complainant's request as soon as possible.

A handwritten signature in black ink, appearing to read "Brittney A. Long". The signature is stylized with a large initial "B" and a long, sweeping underline.

Brittney A. Long
Public Access Counselor